



August 2, 2022

VIA FOIAONLINE.GOV

National FOIA Office
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Re: Freedom of Information Act Request for Records: March 31, 2022 Memorandum Entitled "Second Existing Chemical Exposure Limit (ECEL) (Developmental Toxicity) for Occupational Use of Trichloroethylene" from Keith Jacobs to Joel Wolf (Docket ID EPA-HQ-OPPT-2020-0642-0025)

Dear Freedom of Information Officer:

Pursuant to the Freedom of Information Act ("FOIA"), as amended, 5 U.S.C. §§ 552 *et seq.*, and implementing regulations promulgated by the Environmental Protection Agency ("EPA"), 40 C.F.R. Part 2, the American Chemistry Council ("ACC") requests copies of Records related to the March 31, 2022 memorandum ("Memorandum") describing a second existing chemical exposure limit ("ECEL") for occupational use of trichloroethylene ("TCE") based on developmental toxicity which was posted in the EPA Docket on May 20, 2022. In addition, ACC requests copies of Records related to the text in the final Risk Evaluation for TCE¹ that discusses the congenital heart defects ("CHD") endpoint that is the basis for the second ECEL described in the March 31, 2022 memorandum. We request the following Records:

1. All Records related to the development of the March 31, 2022 memorandum. These include all Records concerning:
 - Correspondence between EPA staff related to the CHD endpoint
 - Correspondence between EPA staff and parties outside EPA related to CHD
 - Correspondence between EPA staff related to the development of the Memorandum
 - Drafts of the Memorandum
2. All Records related to the text of the November 2020 Risk Evaluation that discusses the CHD endpoint. These include all Records concerning:
 - Correspondence between EPA staff related to the text discussing CHD that appears in the November 2020 Risk Evaluation for TCE
 - Correspondence between EPA staff and the members of the Science Advisory Committee on Chemicals ("SACC") related to CHD

¹ USEPA. Risk Evaluation for Trichloroethylene. EPA Document #740R18008. Office of Chemical Safety and Pollution Prevention (November 2020).



- Correspondence between EPA staff and parties outside EPA related to the CHD text in the November 2020 Risk Evaluation
- Drafts of the CHD text for inclusion in the November 2020 Risk Evaluation

As used in this request, the term “Records” has the meaning in 5 U.S.C. § 552(f)(2).

I understand that pursuant to EPA’s FOIA regulations, I can expect a response to this request within 20 working days of your receipt of this letter. To facilitate a timely response to this letter, please forward me interim responses as subsets of responsive records become available. Should EPA decide to withhold any responsive documents, please provide me a “Vaughn index” identifying each such document withheld and the legal basis for withholding it.

ACC is willing to pay reasonable fees, up to \$500, for responding to this request. If costs will exceed that amount, or if you have any questions regarding this request, please contact me at (202) 249-6139 or laura_gooding@americanchemistry.com. Thank you for your prompt attention to this matter.

Sincerely,



Laura Gooding
Assistant General Counsel

